

## **Title 12 Recodification Bill Draft Bill Summary**

**Committee on Legal Services.** Title 12 of the Colorado Revised Statutes relates primarily to the regulation of professions and occupations. In 2016, the General Assembly enacted Senate Bill 16-163, which authorized a multi-year project to recodify title 12. In 2017 and 2018, the General Assembly enacted numerous bills to relocate out of title 12 all laws that do not relate to the regulation of professions and occupations. Title 12 now contains essentially only laws administered by the department of regulatory agencies (DORA) that regulate a profession or occupation.

**Section 1** of the bill recodifies title 12, as contemplated by Senate Bill 16-163, by:

- Reorganizing and renumbering articles and parts within the title;
- Relocating into title 12 current statutes in article 34 of title 24 relating to the creation, powers, and duties of the division of professions and occupations (DPO) in administering the laws regulating professions and occupations (practice acts);
- Creating common provisions that are generally applicable to all practice acts, except as otherwise specified, and modifying the various practice acts to eliminate redundancies with the common provisions; and
- Eliminating provisions in title 12 that are archaic or obsolete.

Article 1 of the recodified title 12 (starting on page 2) contains provisions that apply to the entire title. Article 10 (page 2) includes the laws governing real estate, including the division of real estate within DORA, while article 15 (page 191) includes laws governing conservation easements, including the division of conservation within DORA.

The remainder of the title relates to professions and occupations regulated by DPO within DORA. Article 20 (page 212) includes laws relocated from title 24 relating to the creation of DPO and DPO's powers and duties and consolidated common provisions derived from the practice acts that relate to procedures, immunity, disciplinary and enforcement authority, and judicial review of final orders of DPO and the regulatory boards within DPO. Article 30 (page 261) includes common provisions governing health care professions and occupations regulated by DPO, including the "Michael Skolnik Medical Transparency Act of 2010", health care work force data collection requirements, and opioid prescribing limitations.

The bill organizes the practice acts as follows:

- Business professions and occupations:
  - Article 100, accountants (page 320);
  - Article 105, barbers and cosmetologists (page 367);
  - Article 110, combative sports (page 389);
  - Article 115, electricians (page 407);
  - Article 120, engineers, surveyors, and architects (page 455);
  - Article 125, fantasy contests (page 537);

- Article 130, landscape architects (page 547);
- Article 135, mortuaries and crematories (page 570);
- Article 140, nontransplant tissue banks (page 605);
- Article 145, outfitters and guides (page 611);
- Article 150, passenger tramways (page 628) (this law was relocated from title 25);
- Article 155, plumbers (page 645); and
- Article 160, private investigators (page 687);
- Health care professions and occupations:
  - Article 200, acupuncturists (page 707);
  - Article 205, athletic trainers (page 731);
  - Article 210, audiologists (page 753);
  - Article 215, chiropractors (page 774);
  - Article 220, dentists and dental hygienists (page 821);
  - Article 225, direct-entry midwives (page 902);
  - Article 230, hearing aid providers (page 930);
  - Article 235, massage therapists (page 948);
  - Article 240, medical practice (page 975);
  - Article 245, mental health (page 1070);
  - Article 250, naturopathic doctors (page 1206);
  - Article 255, nurses (page 1243);
  - Article 260, nurse aides (page 1320);
  - Article 265, nursing home administrators (page 1347);
  - Article 270, occupational therapists and occupational therapy assistants (page 1375);
  - Article 275, optometrists (page 1407);
  - Article 280, pharmacists, pharmacy businesses, and pharmaceuticals (page 1451);
  - Article 285, physical therapists and physical therapist assistants (page 1573);
  - Article 290, podiatrists (page 1644);
  - Article 295, psychiatric technicians (page 1692);
  - Article 300, respiratory therapists (page 1707);
  - Article 305, speech-language pathologists (page 1730);
  - Article 310, surgical assistants and surgical technologists (page 1758); and
  - Article 315, veterinarians (page 1776).

**Section 2** relocates a law that prohibits the mandatory donation of services from title 12 to the "Administrative Organization Act of 1968" in title 24. **Section** [redacted] repeals relocated provisions from titles 24 and 25 of the Colorado Revised Statutes. <{**This section does not appear in the current bill draft but will be added to the bill.**}> To give agencies time to make necessary adjustments to their rules and forms, **section** [redacted] delays the effective date of the bill until October 1, 2019.

All conforming amendments that are necessitated by the bill to sections of the Colorado Revised Statutes that are codified in titles other than title 12 are contained in a companion bill, \_\_\_\_\_ Bill 19-\_\_\_\_\_.

Comparative tables that show how all sections of the Colorado Revised Statutes that are in the bill have been relocated or repealed are attached as an addendum to the bill (page 1822).